

## THE TOWNSHIP OF EWING

Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



Phone: (609) 883-2900  
Admin. Fax: (609) 538-0729  
Clerk Fax: (609) 771-0480  
Web Address: [www.ewingnj.org](http://www.ewingnj.org)

### RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, NEW JERSEY, DESIGNATING CERTAIN PARCELS WITHIN THE TOWNSHIP AS AN AREA IN NEED OF REHABILITATION IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

**Resolution #23R-** WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) authorizes the Township of Ewing (the “**Township**”) to determine whether property within the Township constitutes an “area in need of redevelopment” or an “area in need of rehabilitation”; and

WHEREAS, on July 12, 2022, the Township Council (“**Township Council**”) of the Township adopted a resolution authorizing and directing the Township Planning Board (the “**Planning Board**”) to conduct a preliminary investigation (the “**Study**”) to determine whether the area including Block 344, Lots 1.01, 31, 32, 33, 35, and 37, Block 345, Lots 1.01, and 142, Block 351, Lots 1-15, Block 352, Lots 1-12, Block 364, Lots 1, 73 and 77, Block 365, Lots 10.01, 12, 13, 14, 15, 19.01, and 23, and Block 375, Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 18, 19, 20 and 24 (collectively, the “**Original Study Area**”) meets the criteria in the Redevelopment Law for designation as an “area in need of rehabilitation” and/or an “area in need of redevelopment” and should be so designated; and

WHEREAS, thereafter, the Planning Board determined to expand its preliminary investigation to include parcels identified on the Township tax map as Block 344, Lots 34 and 36, Block 345, Lot 141, and Block 365, Lots 11 and 20 and to not include Block 344, Lot 1.01 (“**Revised Parcels**”, and together with the Original Study Area, the “**Study Area**”), and determine whether the Study Area meets the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment and/or an area in need of rehabilitation and to make a recommendation to the Township Council as to whether the Study Area should be designated as an area in need of redevelopment and/or an area in need of rehabilitation in accordance with the Redevelopment Law; and

WHEREAS, the Township Planner, Charles W. Latini from the firm Latini & Gleitz Planning (the “**Planner**”) conducted the Study and prepared a report, dated September 7, 2022, entitled “Ewing Town Center Area in Need of Rehabilitation/Redevelopment” (the “**Report**”) which is on file with the Township Clerk; and

WHEREAS, in the Report, the Planner concluded, among other things, that the properties in the Study Area meet the criteria set forth in subsections (2) and (6) of Section 14 of the Redevelopment Law, *N.J.S.A. 40A:12A-14(a)*, as (i) more than half the housing stock in the delineated area is at least 50 years old; and (ii) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and that a program of rehabilitation, as defined in the Redevelopment Law, *N.J.S.A. 40A:12A-3*, may be expected to prevent further deterioration and to

promote the overall development of the Township in accordance with the requirements of Section 14 of the Redevelopment Law; and

**WHEREAS**, on December 1, 2022 (the “**December Hearing**”), the Planning Board conducted a public hearing to determine whether the Study Area meets the criteria for designation as an area in need of redevelopment and/or rehabilitation; and

**WHEREAS**, following the December Hearing, an error was discovered in the notification of the property owners and in the notice of public hearing published in connection with the December Hearing requiring re-publication, notification of the property owners and the extension of the public hearing; and

**WHEREAS**, on March 2, 2023, the Planning Board held a hearing during which it reviewed the findings of the Planner set forth in the Report, heard expert testimony from the Planner, and conducted a public hearing in accordance with the Redevelopment Law; and

**WHEREAS**, based on the Report and the testimony presented at the public hearing, the Planning Board, acting by resolution, found that the Study Area satisfied the criteria to be designated as an area in need of rehabilitation in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-14(a)*, and recommended that the Township Council designate the Study Area as an area in need of rehabilitation; and

**WHEREAS**, the Township concurs with the Planning Board’s findings and desires to designate the Study Area as a Rehabilitation Area (the “**Rehabilitation Area**”).

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ewing, in the County of Mercer, New Jersey, as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. Based upon the Report and the recommendation of the Planning Board, the Township Council finds that the Study Area meets the eligibility criteria in *N.J.S.A. 40A:12A-14a(2)* and (6) in that (i) more than half the housing stock in the delineated area is at least 50 years old; and (ii) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and that a program of rehabilitation, as defined in the Redevelopment Law, *N.J.S.A. 40A:12A-3*, may be expected to prevent further deterioration and to promote the overall development of the Township in accordance with the requirements of Section 14 of the Redevelopment Law, *N.J.S.A. 40A:12A-14(a)*.
3. The Township Council hereby designates the Study Area as an area in need of rehabilitation pursuant to the Redevelopment Law.
4. The Planner is hereby authorized and directed to prepare a redevelopment plan for the Rehabilitation Area.
5. The Township Council hereby directs that the Township Clerk shall transmit a copy of

this resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.

6. This Resolution shall take effect in accordance with applicable law.

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 14<sup>th</sup> day of March 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**

## THE TOWNSHIP OF EWING

Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



Phone: (609) 883-2900  
Admin. Fax: (609) 538-0729  
Clerk Fax: (609) 771-0480  
Web Address: [www.ewingnj.org](http://www.ewingnj.org)

### RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, NEW JERSEY, DESIGNATING CERTAIN PARCELS WITHIN THE TOWNSHIP AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* AND RATIFYING THE INCLUSION AND REMOVAL OF CERTAIN PARCELS IN THE PRELIMINARY INVESTIGATION

**Resolution #23R-** WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) authorizes the Township of Ewing (the “**Township**”) to determine whether property within the Township constitutes an “area in need of redevelopment” or an “area in need of rehabilitation”; and

WHEREAS, on July 12, 2022, the Township Council (“**Township Council**”) of the Township adopted a resolution authorizing and directing the Township Planning Board (the “**Planning Board**”) to conduct a preliminary investigation (the “**Study**”) to determine whether the area including Block 344, Lots 1.01, 31, 32, 33, 35, and 37; Block 345, Lots 1.01 and 142, Block 351, Lots 1-15, Block 352, Lots 1-12; Block 364, Lots 1, 73 and 77; Block 365, Lots 10.01, 12, 13, 14, 15, 19.01, and 23; Block 375, Lots 1, 2, 4-12, 14, 18, 19, 20, and 24 on the Township’s tax map the (“**Original Study Area**”), which consists of approximately 67.47 acres on Parkway Avenue, Scotch Road and Silvia Street, meets the criteria in the Redevelopment Law for designation as an “area in need of rehabilitation” and/or an “area in need of redevelopment” and should be so designated, provided, however, that, if the area is designated as an “area in need of redevelopment”, the Township may use all of the powers provided by the New Jersey Legislature for use in a redevelopment area, except the power of eminent domain; and

WHEREAS, thereafter, the Planning Board determined to expand its preliminary investigation to include parcels identified on the Township tax map as Block 344, Lots 34 and 36, Block 345, Lot 141, and Block 365, Lots 11 and 20 and to not include Block 344, Lot 1.01 (“**Revised Parcels**”, and together with the Original Study Area, the “**Study Area**”), and determine whether the Study Area meets the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment and/or an area in need of rehabilitation and to make a recommendation to the Township Council as to whether the Study Area should be designated as an area in need of redevelopment and/or an area in need of rehabilitation in accordance with the Redevelopment Law; and

WHEREAS, the Township Planner, Charles W. Latini from the firm Latini & Gleitz Planning (the “**Planner**”) conducted the Study and prepared a report, dated September 7, 2022, entitled “Ewing Town Center Area in Need of Rehabilitation/Redevelopment” (the “**Report**”); and

WHEREAS, in the Report, the Planner concluded, among other things, that the properties in the Study Area including Block 344, Lots 31.011, 31.012, and 37.01, Block 345, Lot 1.01, Block 364, Lots

1, 73 and 77, Block 365, Lots 10.01 – 15, 19.01, 20 and 23, and Block 375, Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 19, 20 and 24 (the “**Redevelopment Study Area**”) meet criteria for designation as an area in need of redevelopment and/or are necessary for the effective redevelopment of the area, including the Parkway Avenue Redevelopment Area, which is directly adjacent to the Redevelopment Study Area; and

**WHEREAS**, on December 1, 2022 (the “**December Hearing**”), the Planning Board conducted a public hearing to determine whether the Study Area meets the criteria for designation as an area in need of redevelopment and/or rehabilitation; and

**WHEREAS**, following the December Hearing, an error was discovered in the notification of the property owners and in the notice of public hearing published in connection with the December Hearing requiring re-publication, notification of the property owners and an extension of the public hearing; and

**WHEREAS**, the Planning Board caused the aforementioned notices to be: (i) published on February 17, 2023 and February 20, 2023 in the Trenton Times; and (ii) mailed to the last owner(s) of the relevant properties according to the Township’s assessment records on February 16, 2023; and

**WHEREAS**, on March 2, 2023, the Planning Board held a hearing during which it referenced testimony from the December Hearing, reviewed the Report, heard testimony from the Planner, and conducted a public hearing during which members of the general public, including owners of the properties in the Study Area, were given an opportunity to present their own evidence, to cross-examine the Planner and/or to address questions to the Planning Board and its representatives concerning the potential designation of the Study Area as a Non-Condemnation area in need of redevelopment; and

**WHEREAS**, the Planner concluded in the Report, and testified to the Planning Board at the public hearing, that there is evidence to support the conclusion that the properties in the Redevelopment Study Area satisfy the criteria for redevelopment area designation set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5 a, b, c, d, e and h, as applicable and set forth in the Report and, moreover, that the inclusion of certain properties in the Redevelopment Study Area is necessary for the effective redevelopment of the area, including the Parkway Avenue Redevelopment Area, which is directly adjacent to the Redevelopment Study Area; and

**WHEREAS**, on March 2, 2023, at the conclusion of the public hearing, the Planning Board determined that, for the reasons set forth in the Report and in the resolution adopted by the Planning Board and submitted to the Township Clerk, and explained during the public hearing, the properties in the Redevelopment Study Area meet the criteria set forth in the Redevelopment Law or are otherwise necessary for the effective redevelopment of the area, and should be designated as a Non-Condemnation area in need of redevelopment; and

**WHEREAS**, the Township concurs with the Planning Board’s findings and desires to designate the Redevelopment Study Area as a Non-Condemnation Redevelopment Area within which the Township may use all of the powers provided by the New Jersey Legislature for use in a redevelopment area, except the power of eminent domain; and

**WHEREAS**, the Township Council further desires to ratify the: (1) inclusion/removal of the Revised Parcels as applicable in the Study Area, and (2) the inclusion of the entire Study Area in the preliminary investigation.

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ewing, in the County of Mercer, New Jersey, as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.

2. The inclusion/removal of the Revised Parcels, as applicable, in the Study Area, the inclusion of the entire Study Area in the preliminary investigation, and all actions taken in connection therewith are hereby ratified.

3. After considering the conclusions set forth in the Report and the Planning Board's findings and recommendations, the Township hereby finds the properties in the Redevelopment Study Area satisfy the criteria for redevelopment area designation set forth in N.J.S.A. 40A:12A-5 a, b, c, d, e, and h, as applicable and set forth in the Report and, moreover, that the inclusion of certain properties in the Redevelopment Study Area is necessary for the effective redevelopment of the area, including the Parkway Avenue Redevelopment Area, which is directly adjacent to the Redevelopment Study Area, as set forth in the Report, and such properties are hereby designated as a Non-Condensation area in need of redevelopment (the "**Redevelopment Area**").

4. In connection with the redevelopment of the properties in the Redevelopment Area, the Township shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

5. The Planner is hereby authorized and directed to prepare a redevelopment plan for the Redevelopment Area.

6. The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to N.J.S.A. 40A:12A-6(b)(5).

7. The Township Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this resolution upon (1) all record owners of property located within the Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

8. This resolution shall take effect immediately.

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 14<sup>th</sup> day of March 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**

## THE TOWNSHIP OF EWING

Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



Phone: (609) 883-2900  
Admin. Fax: (609) 538-0729  
Clerk Fax: (609) 771-0480  
Web Address: [www.ewingnj.org](http://www.ewingnj.org)

### **A RESOLUTION AMENDING RESOLUTION #22R-194 AS TO THE INSTITUTION OF A MORATORIUM ON THE GRANTING OF ANY CLASS OF CANNABIS LICENSE IN EWING TOWNSHIP FOR ONE (1) YEAR**

**Resolution #23R-** **WHEREAS**, on October 25, 2022, the Township of Ewing adopted Resolution #22R-194 imposing a temporary moratorium on the approval of all classes of cannabis licenses in Ewing Township for a period of one (1) year effective upon the adoption of that Resolution, with the exception of any applications received prior to the passage of the Resolution; and

**WHEREAS**, previously on September 3, 2021, the Township passed Ordinance No. 21-16 amending the Municipal Code of Ewing Township to establish guidelines for the review and issuance of cannabis licenses for cannabis cultivators, manufacturers, wholesalers, distributors, retailers, and delivery services ; and

**WHEREAS**, since the passing of Ordinance No. 21-16 the Township provided resolutions of support in aid of application to the Cannabis Regulatory Commission with the intention of their being licensed to operate within Ewing Township for eleven (11) companies. These companies comprise two (2) retail adult-use dispensaries; two (2) adult-use manufacturing facilities; five (5) cultivation/manufacturing facilities that includes three (3) medicinal awardees; and two (2) micro cultivation and manufacturing licenses and, to date, none of the above licenses are yet active or operating; and

**WHEREAS**, the Township also endorsed the medical cannabis application of Justice Grown (now known as BLOC), which is currently operating in the Township with a vertically integrated medicinal cannabis license for the cultivation, manufacturing and dispensing of medicinal cannabis, and the Council subsequently passed a resolution endorsing BLOC's application to the Cannabis Regulatory Commission for licensure to cultivate, manufacture and sell adult use cannabis; and

**WHEREAS**, it continues to be in the best interests of the Township to impose a temporary stay on further cannabis licensing within the Township to allow time to observe how the previously endorsed cannabis ventures operate within the Township, and the impacts on the Township of cannabis businesses given the emerging nature of the cannabis industry within the State and the lack of experience in the Township or elsewhere in the State of this new industry; and

**WHEREAS**, Resolution #22R-194 provides that during this licensing freeze, the Township may continue to accept applications but will not consider issuing another endorsement or license of any class for at least a period of twelve (12) months except that it will consider any applications received prior to the passage of this Resolution; and

**WHEREAS**, Resolution #22R-194 also provides that it is the intention of the Township's Council to review the current cannabis ordinance and determine if any amendments are necessary or appropriate in the best interests of the Township; and



**WHEREAS**, Resolution #22R-194 also provides that previously endorsed applicants who require additional or amended endorsement from the Township Council in connection with their application to the Cannabis Regulatory Commission may petition the Township for such review and approval during this moratorium; and

**WHEREAS**, it has come to the attention of the Council that certain endorsed applicants at specific locations may no longer have an interest in or be able to proceed at that approved location, but that the operation of an economically viable cannabis facility at the approved location is still in the best interests of the Township; and

**WHEREAS**, Council has determined that it is in the best interest of the Township to allow new applicants to apply for endorsement from the Council for previously approved locations as long as the aggregate approved square footage of a previously approved operation and facility is not changed, and

**WHEREAS**, the Council has determined that it is in the best interests of the Township to permit the application of new applicants during this period of moratorium only for a previously approved location and only to the extent that such new applicants do not differ in type of license or exceed the aggregate square footage previously approved for that location based on the previous endorsement issued for that location. For example, multiple applicants may apply to operate from a previously approved location as long as the aggregate square footage and type of those proposed applicants does not exceed the total square footage or type of the previously endorsed operations for that location.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ewing that Resolution # 22R-194 is hereby amended to provide that:

1. The Ewing Township Council will not consider endorsement of any class of cannabis license for a period of no less than twelve (12) months so that the Township may review the impact of those businesses which have already received a cannabis license and determine the best forward course of action for the Township in this emerging industry, except that it will consider any applications received prior to the passage of Resolution #22R-194.
2. The Ewing Township Council will permit new applicants during this period of moratorium only for a previously approved location and only to the extent that such new applicants do not differ in type of license or exceed the aggregate square footage previously approved for that location based on the previous endorsements issued for that location. Multiple applicants may apply as long as the aggregate square footage and type of license of those proposed applicants does not differ from the previously endorsed operation for that location.
3. For all other applicants, except as provided herein, the Clerk of the Township of Ewing may continue to accept applications for cannabis licenses and the Cannabis Review Committee may continue to review such applications however all such applicants shall be advised of this Resolution and moratorium at the time of submission of such application.
4. Any applicant who has previously received an endorsement from this Council who requires additional or amended endorsement from the Township Council in connection with their application to the Cannabis Regulatory Commission during this moratorium may also petition the Township for review.

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regularly Scheduled Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 14<sup>th</sup> day of March 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**

**THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO. 23-**

1st Reading \_\_\_\_\_ Date to Mayor \_\_\_\_\_  
 2nd Reading & Public Hearing \_\_\_\_\_ Date Returned \_\_\_\_\_  
 Date Adopted: \_\_\_\_\_ Date Resubmitted to Council \_\_\_\_\_  
 \_\_\_\_\_ Approved as to Form of Legality  
 Effective Date: \_\_\_\_\_  
 \_\_\_\_\_ Township Attorney

**AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF  
THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 172  
FEES SECTION 12 RETAIL FOOD ESTABLISHMENT LICENSES.**

**First Reading**

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
<b>Baxter</b>						
<b>Keyes-Maloney</b>						
<b>Schroth</b>						
<b>Steward</b>						
<b>Wollert</b>						

**Second Reading**

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
<b>Baxter</b>						
<b>Keyes-Maloney</b>						
<b>Schroth</b>						
<b>Steward</b>						
<b>Wollert</b>						

By \_\_\_\_\_ Date \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected \_\_\_\_\_  
 Mayor

Reconsidered  
 By Council \_\_\_\_\_ Override Vote YEA \_\_\_\_\_ NAY \_\_\_\_\_

\_\_\_\_\_  
 President of the Council

\_\_\_\_\_  
 Municipal Clerk

**TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO 23-**

**AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 172 FEES SECTION 12 RETAIL FOOD ESTABLISHMENT LICENSES.**

**WHEREAS**, pursuant to N.J.S.A. 26:3-69.1 et seq., the Board of Health of the Township of Ewing (the "Township") is empowered to enact and amend ordinances regulating food establishments; and

**WHEREAS**, the Township is desirous of amending Chapter 172, Section 12 of the General Ordinances of the Township of Ewing to make it consistent with current practice and law regarding retail food establishes; and

**WHEREAS**, the Township Health Department recommends the proposed changes to certain licensing fees and has determined that said amendments are in the best interest of the Township and its residents; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

**Section 1** Chapter 172, FEES Section 12 RETAIL FOOD ESTABLISHMENT LICENSES is hereby amended as follows:

**§ 172-12 Retail food establishment licenses.**

- A. Retail food establishments with a permanent location, serving food for consumption on premises (including, for example, restaurants, taverns and luncheonettes, but not limited thereto):
- (1) One to 50 seats: \$150 ~~125~~.
  - (2) Fifty-one to 200 seats: \$250 ~~200~~.
  - (3) More than 200 seats: \$350 ~~335~~.
  - (4) Limited retail food establishment (one where food is served to be consumed on premises but offers only prepackaged products that have been purchased from other suppliers and which meet all packaging and labeling requirements, including but not limited to prepackaged candy, alcohol or nonalcoholic beverages, canned and frozen goods, and so on); \$50 ~~45~~.
  - (5) Theaters and auditoriums: \$335.
- B. Retail food establishments with a permanent location, where food is not customarily consumed on premises (including, for example, supermarkets, grocery stores and delicatessens, but not limited thereto):
- (1) Zero to 3,500 square feet: \$125 ~~100~~.
  - (2) From 3,501 to 5,000 square feet: \$200 ~~175~~.
  - (3) From 5,001 to 10,000 square feet: \$325 ~~300~~.
  - (4) More than 10,000 square feet: \$450.

C. Temporary or itinerant retail food establishments, except farmers markets:

(1) Mobile units (each): ~~\$150~~ 60.

(2) Temporary establishments: ~~\$75 weekdays, \$80 weekend/holidays.~~

D. Daycare/Nursery Schools:

(1) Provide lunch services: \$100.

(2) Do not provide lunch services: \$50.

E. Issuance of duplicate retail food establishment license: \$10.

F. Retail food establishment plan review.

(1) Zero to 1,000 square feet: \$120.

(2) From 1,001 to 5,000 square feet: \$150.

(3) Over 5,001 square feet: \$250.

G. Seasonal farmers market operators license (good from April 1 to October 31):

(1) One to five vendors: \$100.

(2) Six to 10 vendors: \$150.

(3) Eleven to 15 vendors: \$200.

(4) More than 15 vendors: \$250.

H. Reinspection Fees: In the event a retail food establishment receives a conditionally satisfactory or unsatisfactory rating, a fee for reinspection will be charged as follows:

(1) First reinspection: \$75.

(2) Second reinspection: \$150.

(3) Third reinspection: \$275.

Reinspection fees must be paid to the Health Department within five (5) business days from the date of inspection.

I. Licensing late fees shall be applied as follows:

(1) Failure to make application for license renewal: \$25 per week after a one (1) week grace period.

(2) Maximum late fee charge: \$200.

(3) Operation of an unlicensed establishment after the expiration of all grace periods and assessment of the maximum late fee charge will result in assessment of fines and other legal penalty as provided in Chapter 1, Article III, General Penalty.

**Section 2** Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

**Section 3** Repealer. All prior ordinances or parts of the same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

**Section 4** Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law, except § 172-12H shall not take effect until January 1, 2024.



**RESOLUTION AUTHORIZING CY2023 RESERVE BUDGET TRANSFERS**

**Resolution #23R-** WHEREAS, there are certain CY2023 Reserve Budget Appropriations of the Township of Ewing with balances insufficient to meet requirements for operating Township Affairs; and

WHEREAS, there are CY2023 Reserve Budget Appropriations with unexpected balances that are not needed for such purposes; and

WHEREAS, Statutes 40A:4-59 provides for Transfers to those reserve accounts having insufficient balances during the first three months of the fiscal budget year.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Ewing that the following transfers are:

To		From		
Elections	O/E	195.00	Information Technology	O/E 33,666.00
Financial Administration	O/E	41.00	Employee Insurance	O/E 100,000.00
Buildings & Grounds	O/E	2,305.00	Police Dept	S/W 100,000.00
Utilities/Bulk Purchases		132,000.00		
Legal Services		22,600.00		
Planning Board	O/E	11,700.00		
Aid to Fire Companies		1,810.00		
Fire Departments	O/E	407.00		
Vehicle Maintenance	O/E	48,500.00		
Animal Control Services	O/E	1,900.00		
Township Physician		1,008.00		
Community Pools	O/E	11,200.00		

233,666.00

233,666.00

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 14<sup>th</sup> day of March 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**



**THE TOWNSHIP OF EWING**

Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



Phone: (609) 883-2900  
Admin. Fax: (609) 538-0729  
Clerk Fax: (609) 771-0480  
Web Address: [www.ewingnj.org](http://www.ewingnj.org)

**A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO PHILLIPS BOULEVARD PROJECT**

**Resolution #23R- NOW, THEREFORE, BE IT RESOLVED that Council of Ewing Township formally approves the grant application for the above stated project.**

**BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LTPF-2023-Improvements to Phillips Boulevard-00060 to the New Jersey Department of Transportation on behalf of the Township of Ewing.**

**BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Ewing and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.**

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 14<sup>th</sup> day of March 2023.**

**SEAL**

\_\_\_\_\_  
**Kim J. Macellaro, CMC**  
**Municipal Clerk**

**My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.**

**ATTEST and AFFIX SEAL**

\_\_\_\_\_  
**(Clerk)**

\_\_\_\_\_  
**(Presiding Officer)**

**THE TOWNSHIP OF EWING**

Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



Phone: (609) 883-2900  
Admin. Fax: (609) 538-0729  
Clerk Fax: (609) 771-0480  
Web Address: [www.ewingnj.org](http://www.ewingnj.org)

**A RESOLUTION APPROVING MATTHEW A. ROGERS AS A SENIOR FIREFIGHTING MEMBER OF THE PROSPECT HEIGHTS VOLUNTEER FIRE COMPANY NO. 1**

**Resolution #23R- WHEREAS, the Prospect Heights Volunteer Fire Company No. 1 in the Township of Ewing provides protection and service for the community; and**

**WHEREAS, Matthew A. Rogers has completed all the requirements necessary to become a Senior Firefighting Member of the Prospect Heights Volunteer Fire Company No. 1; and**

**WHEREAS, the Township Council is satisfied that Matthew A. Rogers is qualified to become a Senior Firefighting Member of the Prospect Heights Volunteer Fire Company No. 1; now therefore**

**BE IT RESOLVED that the Township Council of the Township of Ewing does hereby appoint Matthew A. Rogers as a Senior Firefighting Member of the Prospect Heights Volunteer Fire Company No. 1.**

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regularly Scheduled Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 14<sup>th</sup> day of March 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**

**THE TOWNSHIP OF EWING**

Municipal Complex  
2 Jake Garzio Drive  
Ewing, NJ 08628



Phone: (609) 883-2900  
Admin. Fax: (609) 538-0729  
Clerk Fax: (609) 771-0480  
Web Address: [www.ewingnj.org](http://www.ewingnj.org)

**A RESOLUTION SUPPORTING THE LAWRENCE HOPEWELL TRAIL CORPORATION APPLICATION FOR FEDERAL COMMUNITY PROJECT FUNDING**

**Resolution #23R- WHEREAS, the Lawrence Hopewell Trail Corporation is a valued community partner distinguished by its collaborative approach in developing the 22-mile Lawrence Hopewell Trail linking Hopewell Township, Lawrence Township, and Pennington Borough with County and municipal parks, corporate campuses, and land trusts; and**

**WHEREAS, multi-use trails such as the Lawrence Hopewell Trail are increasingly viewed as critical assets that promote economic opportunity, recreation, education, transportation, and health, while reducing carbon emissions; and**

**WHEREAS, the Lawrence Hopewell Trail now hosts more than 100,000 visits each year; and**

**WHEREAS, for more than 20 years, the Lawrence Hopewell Trail Corporation has demonstrated its capability to bring multiple interests together to agree on completing challenging projects that benefit multiple communities; and**

**WHEREAS, the Lawrence Hopewell Trail Corporation is seeking Federal Community Project Funding to support its work to connect people and communities; now therefore**

**BE IT RESOLVED, that the Municipal Council of the Township of Ewing endorses the Lawrence Hopewell Trail Corporation's application for Federal Community Project Funding; and**

**BE IT FURTHER RESOLVED, that the Municipal Council of the Township of Ewing looks forward to continuing close collaboration with the Lawrence Hopewell Trail Corporation.**

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regularly Scheduled Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 14<sup>th</sup> day of March 2023.**

**SEAL**

---

**Kim J. Macellaro, CMC  
Municipal Clerk**